

Message Text

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45

ACTION NEA-12

INFO OCT-01 EUR-25 ADP-00 MC-02 DODE-00 EB-11 INR-10

NSAE-00 RSC-01 TRSE-00 AEC-11 CIAE-00 COME-00 PM-09

L-03 SS-15 NSC-10 RSR-01 /111 W
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FM AMEMBASSY BRUSSELS

TO SECSTATE WASHDC 7392

INFO AMEMBASSY NEW DELHI

C O N F I D E N T I A L BRUSSELS 2414

DEPT PASS DEFENSE

E. O. 11652: GDS

TAGS: ESTC, BE, IN, MASS

SUBJ: BELGIAN INTEREST IN SELLING TANK FIRE CONTROL SYSTEMS
TO INDIA.

REF: BRUSSELS 2148

1. WHILE DEPARTMENT HAS NOT YET REPLIED TO REFTTEL, WE HAVE RECEIVED COPY OF MEMCON DATED APRIL 17, 1973 BETWEEN BELGIAN EMBASSY ECONMIN DEHENNIN AND DEPTOFFS PICKERING AND SIPES. AS WE UNDERSTAND IT, USG WOULD CONSIDER APPROVAL OF U. S. ORIGIN FIRE CONTROL SYSTEMS IF (A) INSTALLATION WOULD BE ON U. S. ORIGIN TANKS; AND (B) SYSTEMS WERE CLASSIFIED AS " SPARE PART". POLICY ON THIRD- COUNTRY SUPPLY OF SIMILAR MATERIAL NOT YET FORMALLY ENUNCIATED BUT LIKELY TO BE BASED ON SAME TWO CONDITIONS.

2. TYING APPROVAL OF " SPARE PARTS" SUPPLY REQUEST TO U. S. ORIGIN OF ORIGINAL EQUIPMENT LOGICAL FOR U. S. SUPPLIERS. FOREIGNERS, HOWEVER, MORE LIKELY TO SUPPLY " SPARE PARTS" FOR NON- U. S. EQUIPMENT THAN FOR U. S. EQUIPMENT, PARTICULARLY WHEN " SPARE PART" IN QUESTION HAS SIGNIFICANT INPUT OF NON- AMERICAN TECHNOLOGY. IN BELGIAN CASE, THEREFORE,
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REAL QUESTION WOULD SEEM TO BE WHETHER WE WOULD LICENSE A FIRE CONTROL SYSTEM AS A " SPARE PART" FOR AN AMERICAN SUPPLIER. IF SO, IT WOULD LOGICALLY FOLLOW THAT THIRD- COUNTRY SUPPLIER COULD ALSO SUPPLY " SPARE PART" FOR EXISTING NON-AMERICAN EQUIPMENT.

3. THE BELGIAN EMBASSY' S NOTE OF NOV. 24, 1972, CALLS ATTENTION TO A SUBSTANTIAL BELGIAN INVESTMENT IN DEVELOPMENT OF FABCA' S FIRE CONTROL SYSTEM. A NEGATIVE U. S. DECISION ON SALE OF THE SYSTEM IN THESE CIRCUMSTANCES MAY WELL APPEAR TO THE BELGIANS, AND OTHER EUROPEANS, AS AN EXCESSIVE EXTRA- TERRITORIAL CONTROL BY THE USG OVER A FOREIGN COMPANY. IT COULD ALSO REDUCE THE WILLINGNESS OF OTHER COMPANIES TO PURCHASE US TECHNOLOGY.

4. I WOULD ALSO CALL ATTENTION TO THE FACT THAT LARGE POTENTIAL BELGIAN GOVERNMENT ORDERS FOR US MIITARY EQUIPMENT ARE CURRENTLY UNDER ACTIVE CONSIDERAION (LANCE, TOW, TRAINER AND FIGHTER AIRCRAFT) AND THAT DEFENSE MINISTER IN THIS AND OTHER CONNECTIONS HAS RAISED QUESTION OF COMPENSATORY PURCHASES BY USG OR US FIRM FROM CERTAIN KEY BELGIAN COMPANIES, INCLUDING SABCA. IF WE CAN APPROVE THE SABCA SALE, I BELIEVE CHANCES ARE GOOD THAT BY THIS DECISION WOULD HELP SAISFY BELGIAN PRESSURE FR OFFSES IN NEGOTIATIONS CURRENLY UNDER WAY AND BE A BARGAINING POINT IN FAVOR OF BELGIAN MILITARY PURCHASES FROM US.

5. I HOPE THAT WASHINGTON WILL TAKE ANOTHER LOOK AT THIS MATTER IN LIGHT OF THE CONSIDERATIONS NOTED ABOVE AND THOSE PUT FORWARD IN THE BELGIAN MEMORANDA OF APRIL 16, 1973, AND NOVEMBER 24, 1972.

GDS

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